

REMARKS

Claims 25, 26, 30, 35, 36, and 40 have been withdrawn from consideration as requested by the Examiner.

The Examiner rejected Claim 21 under 35 U.S.C. 112, second paragraph, as being indefinite. This rejection is respectfully traversed. The Examiner has misread the language of Claim 21. Specifically, the Examiner stated that it "is not clear how each of [the] second members can be secured to both the node and to the first structural member at the same time" (emphasis added). However, Claim 21 does not include any of the emphasized language noted by the Examiner. Rather, Claim 21 merely states that a plurality of second structural members is secured to the node and to the first structural member to form a vehicular frame assembly. The language of Claim 21 does not suggest that each of the second members can be secured to both the node and to the first structural member at the same time, as suggested by the Examiner. On the contrary, Claim 21 clearly describes the method described in the specification and illustrated in the drawings, wherein the node and the various structural members are secured together to form a vehicular frame assembly. Thus, this rejection is inappropriate and should be withdrawn. For the same reasons, the Examiner's rejection of Claim 31 under 35 U.S.C. 112, second paragraph, is also inappropriate and should be withdrawn.

The Examiner rejected independent Claims 21 and 31 as being anticipated by the Mariman et al. reference. These rejections are respectfully traversed.

The Mariman et al. reference is non-analogous art to the claimed invention. Therefore, the disclosure of the Mariman et al. reference should not be considered at all when evaluating the patentability of the claimed invention. As set forth in Section 2141.01(a) of the MPEP, a reference must either be (1) in the field of the applicant's endeavor or (2) reasonably pertinent to the particular problem with which the inventor was concerned. With respect to the latter test, a reference is reasonably pertinent if, even though it may be in a different field from that of the inventor's endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem.

With respect to the first leg of this test for analogous art, the field of the Mariman et al. reference (namely, air couplers) is quite different from the field of the claimed invention (namely, vehicular frame assemblies). Thus, the field of the Mariman et al. reference is clearly not within the field of the claimed invention. With respect to the second leg of this test for analogous art, the problems addressed by the Mariman et al. reference (namely, the heaviness and clumsiness of steel air couplers and the problem of erosion of aluminum air couplers) are quite different from the problems addressed by the claimed invention (namely, the formation of some or all of the structural members of the vehicular frame assembly from different materials). Thus, the Mariman et al. reference is clearly non-analogous art to the claimed invention and, therefore, should not be considered at all when evaluating the patentability of the claimed invention.

However, even if the teachings of the Mariman et al. reference are considered, the claimed invention is clearly not anticipated thereby. The Mariman et al. reference is not concerned in any manner with the manufacture of a vehicle frame assembly as described and illustrated in the application. Rather, the Mariman et al. reference relates to a method of manufacturing an air coupler 50 that supports a plurality of flexible air hoses. Specifically, the Examiner identified the air line 32 of the Mariman et al. reference as being a "first structural member" and the other air lines 34 as being a "plurality of second structural members." This interpretation of the Mariman et al. reference is clearly incorrect. The air lines 32 and 34 are specifically described in the Mariman et al. reference as being "flexible tubes" (see Column 1, Line 43) and "flexible" (see Column 2, Line 59). Certainly, such flexible air lines 32 and 34 cannot reasonably be interpreted as being the "structural members" for a vehicular frame assembly, as recited in the claims.

The Examiner further stated that "by coupling air lines (32) to air lines (34), a complete air seeder (10) including a vehicular body and frame assembly is formed." This statement is not understood. Again, as described above, the air lines 32 and 34 are totally unrelated to the frame assembly disclosed in the Mariman et al. reference. Such air lines 32 and 34 are merely flexible ancillary components that happen to be

supported on the frame assembly disclosed in the Mariman et al. reference and cannot reasonably be interpreted as being the "structural members" recited in the claims.

Thus, independent Claims 21 and 31 are clearly not anticipated by the Mariman et al. reference. Accordingly, such rejections are inappropriate and should be withdrawn.

Respectfully submitted,



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